

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 2757 of 2005

Between:

P. Ramachandra Reddy S/o. P. Narayan Reddy, Non-Conventional Energy
Development Corporation of Andhra Pradesh Limited, Hyderabad.

..... PETITIONER

AND

1 The District Manager, Non-Conventional Energy Development Corporation
of Andhra Pradesh Limited, Adilabad.

2 The Vice-Chairman and Managing Director, Non-Conventional Energy

Development Corporation of Andhra Pradesh Limited, 5-8-207/2, Pisgha

Complex, Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or writs, order or direction, declaring the impugned office order in Ref.No. NEDCAP/BG/7587/2003-04 dt. 21-2-2004 passed by the 2nd Respondent imposing the punishment of penalty for recovery of an amount of Rs. 21,600/- from salary payable to the petitioner in 30 equal installments starting from the salary of February 2004 as illegal, arbitrary, unconstitutional and contrary to Rule-22 of CCCA Rules besides being violation of principles of natural justice and consequently direct the 2nd Respondent to stop recovery of the amount from the salary of the petitioner and refund the amounts, if any, deducted in his salary as on today and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner: MR.VENKAT REDDY THIPPARTHI

Counsel for the Respondent Nos.1 & 2:MR.G.BHASKAR

The Court at the admission stage made the following :

ORDER:

The grievance of the petitioner is that the respondent directed recovery of Rs.21,600/- from him without issuing any show cause notice and without giving him an opportunity to explain under what circumstances, he released the said amount to the beneficiaries for establishment of Bio Gas Plants.

The letter of the petitioner, dated 20-11-2003 is indicating that he failed to follow the instructions of the Head Office due to pressure of work and due to delay in implementing the projects. This is a clear indication that the petitioner has violated the guide lines. In view of the above admission of the petitioner himself in his letter addressed to the 1st respondent, the respondent was right in passing the order for recovery of the amount from him.

I do not find any illegality in the order passed by the respondent. Hence the writ petition is dismissed. No costs.

26-04-2005

rkk

copy to

1 The District Manager, Non-Conventional Energy Development Corporation

of Andhra Pradesh Limited, Adilabad.

2 The Vice-Chairman and Managing Director, Non-Conventional Energy

Development Corporation of Andhra Pradesh Limited, 5-8-207/2, Pisgha

Complex, Nampally, Hyderabad.

3 Two CD copies.